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08/11/98 APPLICATION NO.	10/15/98 FILING DATE	LIFSON FIRST NAMED INVENTOR	A ATTORNEY DOCKET NO. 8927
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EXAMINER TINKER, S
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ART UNIT 3744	PAPER NUMBER
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DATE MAILED: 10/15/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
08/986,447

Applicant(s)  
Lifson

Examiner  
Susanne Tinker

Group Art Unit  
3404



☒ Responsive to communication(s) filed on Dec 8, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 1 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-8 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☐ Claim(s) \_\_\_\_\_ is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☒ Claims 1-8 are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1 and 2, drawn to an apparatus for regulating the flow of refrigerant to the compressor through a pulsated valve, classified in class 62, subclass 510.
- II. Claim 6, drawn to an apparatus for bypassing refrigerant from the condenser, classified in class 62, subclass 196.4.
- III. Claim 8, drawn to an apparatus including an economizer circuit in a refrigeration system, classified in class 62, subclass 216.

The inventions are distinct, each from the other because of the following reasons:

Inventions I, II, and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, each of inventions I, II, and III has separate utility such as each is useful in for various control over a refrigeration circuit without any of the others being necessary. See MPEP § 806.05(d). The various combinations claimed include claim 3: the combination of Inventions I and II; claim 4: the combination of Inventions I, II, and III; claim 5: the combination of Inventions I and III; and claim 7: the combination of Inventions II and III.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II or III, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37

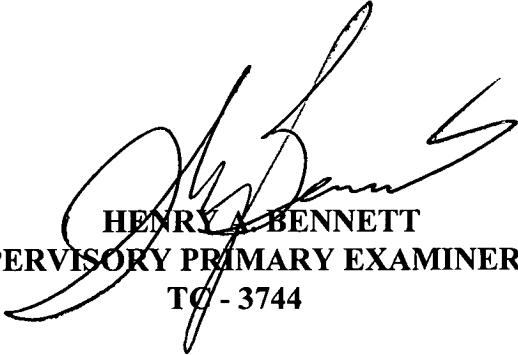
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CFR 1.143). Applicant can elect one of inventions I, II, or III and any combinations that include the invention selected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanne Tinker whose telephone number is (703) 308-2637.

*SCT*  
SCT

October 5, 1998

  
**HENRY A. BENNETT**  
**SUPERVISORY PRIMARY EXAMINER**  
**TC - 3744**